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**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 10/816,112  
Filing Date: March 31, 2004  
First Named Inventor: Jeremy P. Duke  
Examiner's Name: Kwok W. Lee  
Art Unit: 4113  
Attorney Docket No.: 42390.P19128

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☒ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Michael J. Mallie

SIGNATURE:

REG. NO.: 36,591

DATE: April 8, 2008

ADDRESS: 1279 Oakmead Parkway  
Sunnyvale, California 94085-4040

TELEPHONE NO.: (408) 720-8300

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450

on April 8, 2008

Date of Deposit

Ariana C. Bates

Ariana C. Bates  
Signature

April 8, 2008  
Date

Express Mail Label No. (if applicable):

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 10/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete if Known:

Application No. 10/816,112  
Filing Date March 31, 2004  
First Named Inventor Jeremy P. Duke  
Examiner Name Kwok W. Lee  
Art Unit 4113  
Attorney Docket No. 42390.P19128

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify)☐ Deposit AccountDeposit Account Number : 02-2666

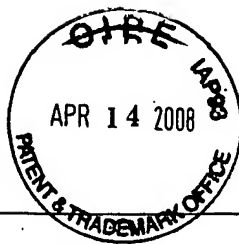
Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☒ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☒ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	310	2011	155	Utility application filing fee	} 1,030/515	
1111	510	2111	255	Utility search fee		
1311	210	2311	105	Utility examination fee		
1012	210	2012	105	Design application filing fee	} 440/220	
1112	100	2112	50	Design search fee		
1312	130	2312	65	Design examination fee		
1013	210	2013	105	Plant filing fee	} 680/340	
1113	310	2113	155	Plant search fee		
1313	160	2313	80	Plant examination fee		
1004	810	2004	405	Reissue filing fee	} 1,940/970	
1114	510	2114	255	Reissue search fee		
1314	620	2314	310	Reissue examination fee		
1005	210	2005	105	Provisional application filing fee		
SUBTOTAL (1) \$						<u>0.00</u>



## 2. EXCESS CLAIM FEES

### Fee Description

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
1202	50	2202	25	Each claim over 20
1201	210	2201	105	Each independent claim over 3
1203	370	2203	185	Multiple dependent claims, if not paid
1204	210	2204	105	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

	Extra Claims	Fee	Fees Paid (\$)
Total Claims <u>36</u> - 36/HP =		X \$ 50.00 =	0
HP = highest number of total claims paid for, if greater than 20			
Independent Claims <u>8</u> - 8/HP =		X \$210.00 =	0
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims		=	0
		SUBTOTAL (2) \$	0

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee from below	Fees paid (\$)
<u>n/a</u>	- 100 =	/ 50 = (round up to whole number)	X \$260.00	0

Large Entity		Small Entity		Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Code	Fee (\$)	Code	Fee (\$)	
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

				<u>Fees Paid (\$)</u>
Non-English Specification, \$130 fee (no small entity discount)				
<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code (\$)	Code (\$)	Code (\$)	Code (\$)	
1051 130	2051 65	Fee Description		
1052 50	2052 25	Surcharge - late filing fee or oath		
1053 130	2053 130	Surcharge - late provisional filing fee or cover sheet		
1812 2,520	1812 2,520	Non-English specification		
1813 8,800	1813 8,800	For filing a request for ex parte reexamination		
1804 920*	1804 920*	Request for inter parties reexamination		
1805 1,840*	1805 1,840*	Requesting publication of SIR prior to Examiner action		
1251 120	2251 60	Requesting publication of SIR after Examiner action		
1252 460	2252 230	Extension for reply within first month		
1253 1,050	2253 525	Extension for reply within second month		
1254 1,640	2254 820	Extension for reply within third month		
1255 2,230	2255 1,115	Extension for reply within fourth month		
1401 510	2401 255	Extension for reply within fifth month		
1402 510	2402 255	Notice of Appeal		
1403 1,030	2403 515	Filing a brief in support of an appeal		
1451 1,510	2451 1,510	Request for oral hearing		
1452 510	2452 255	Petition to institute a public use proceeding		
1453 1,540	2453 770	Petition to revive - unavoidable		
1501 1,440	2501 720	Petition to revive - unintentional		
1502 820	2502 410	Utility issue fee (or reissue)		
1503 1,130	2503 565	Design issue fee		
1462 400	2462 400	Plant issue fee		
1463 200	2463 200	Petitions to the Commissioner (CFR 1.17(f) Group I)		
1464 130	2464 130	Petitions to the Commissioner (CFR 1.17(g) Group II)		
1807 50	2807 50	Petitions to the Commissioner (CFR 1.17(h) Group III)		
1806 180	2806 180	Processing fee under 37 CFR 1.17(q)		
8021 40	28021 40	Submission of Information Disclosure Stmt		
1809 810	2809 405	Recording each patent assignment per property (times number of properties)		
1814 130	2814 65	For filing a submission after final rejection (see 37 CFR 1.129(a))		
1810 810	2810 405	Statutory Disclaimer		
1801 810	2801 405	For each additional invention to be examined (see 37 CFR 1.129(b))		
1802 900	2802 900	Request for Continued Examination (RCE)		
1504 300	2504 300	Request for expedited examination of a design application		
1505 300	2505 300	Publication fee for early, voluntary, or normal pub.		
1803 130	2803 130	Publication fee for republication		
1808 130	2808 130	Request for voluntary publication or republication		
1454 1,410	2454 1,410	Processing fee under 37 CFR 1.17(i) (except provisionals)		
		Acceptance of unintentionally delayed claim for priority		
Other fee (specify) _____				
Other fee (specify) _____				
<b>SUBTOTAL (4) \$</b>				<b>0</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Michael J. Mallie

Signature: \_\_\_\_\_

Date: April 8, 2008Reg. Number: 36,591Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Examiner: Kwok W. Lee  
Art Unit: 4113